REMARKS

Claims 11 and 12 remain in the application and have been amended hereby. Claim 10 has been canceled, without prejudice or disclaimer.

Reconsideration is respectfully requested of the rejection of claim 12 under 35 USC 112, second paragraph, as being indefinite.

Claim 12 has been amended in part to change the recitation "accounting point information" to --accounting points--.

Accordingly, it is respectfully submitted that amended claim 12 is clear and definite in its recitation of the present invention and meets all requirements of 35 USC 112.

Reconsideration is respectfully requested of the rejection of claims 10-12 under 35 USC 102(b), as being anticipated by Ushiki et al.

To anticipate a claim, the reference must teach every element of the claim. See MPEP § 2131.

It is respectfully submitted that Ushiki et al. is silent about the steps of storing accounting points in the terminals and, further, is silent about performing any accounting processing steps in the terminals.

Looking at Ushiki et al. we see that it is in the accounting center, not in the terminal as in the present

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invention, that the step of storing the accounting points is performed. Ushiki et al. teaches that the accounting center calculates a fee for communicating between subscriber terminals based on accounting information and a degree of supply of advertisement image information.

Accordingly, because the Ushiki et al. method steps are different from those of the presently claimed invention, it is respectfully submitted that the positively recited method steps of amended claims 11 and 12 cannot be found in Ushiki et al. and, that Ushiki et al. does not anticipate the present invention as recited in the amended claims.

Reconsideration is respectfully requested of the rejection of claims 10-12 under 35 USC 103(a), as being unpatentable over "standard accounting practices".

Applicant objects to the statement made in the Office Action at paragraph 13 that "the standard accounting functions found in claims 10-12 are admitted prior art".

Since the Office Action at paragraph 13 does not describe which of the "standard accounting practices" are being used to reject the pending claims and no reference is cited to support the definition of "standard accounting practices", it is respectfully submitted that the amendments made to the claims hereby place their recitation outside the scope of the undefined "standard accounting practices".

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Further, and as stated in the previous Amendment (Paper No. 4), it is respectfully submitted that the positively recited features and relationships between the terminal device and the accounting center recited in amended claims 11 and 12 further place their recitation outside the scope of "standard accounting practices".

Accordingly, it is respectfully submitted that amended claims 11 and 12 are patentably distinct over "standard accounting practices".

Entry of this amendment is earnestly solicited, and it is respectfully submitted that the amendments made to the claims hereby raise no new issues requiring further consideration and/or search, because all of the features of this invention have clearly been considered by the examiner in the prosecution of this application and because the present amendments serve only to further define and emphasize the novel features of this invention.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Please amend claims 11 and 12 by rewriting same to read as follows, and cancel claim 10 without prejudice or disclaimer.

--11. (Twice Amended) A data processing method in an accounting system including an accounting center and a terminal device for communicating with the accounting center, the method comprising the steps of:

storing accounting [point information] points in a first memory of the terminal device;

storing distributed information distributed from an external source in a second memory of the terminal device;

updating [by decrementing] the accounting [point information] points stored in the first memory of the terminal device and updating attributes of the distributed information [from an unavailable state to an available state] when the distributed information is stored in the second memory of the terminal device, wherein

when the distributed information is stored in the second memory of the terminal device the attributes of the

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distributed information are updated to an unavailable state, and

when the accounting points are updated correctly based on the distributed information the attributes of the distributed information are updated to an available state; and

carrying out an accounting processing in the accounting center based on the accounting [point information] points transmitted from the terminal device.

--12. (Twice Amended) A data processing method in an accounting system including an accounting center and a terminal device capable of communicating with the accounting center, the method comprising the steps of:

storing accounting [point information] points in a first memory of the terminal device;

storing distributed information distributed from an external source in a second memory of the terminal device;

updating [by decrementing] the accounting [point information] points stored in the first memory of the terminal device and updating attributes of the distributed information [from an unavailable state to an available state] when the distributed information is stored in the second memory;

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making a request for purchasing the accounting [point information] points to the accounting center and updating the accounting [point information] points stored in the first memory based on an accounting processing corresponding to the accounting [point information] points executed at the accounting center, wherein

when the distributed information is stored in the second memory of the terminal device the attributes of the distributed information are updated to an unavailable state, and

when the accounting points are not updated correctly based on the distributed information a request is made by the terminal device to the accounting center for purchasing the accounting points, the accounting points are updated in the terminal device and the attributes of the distributed information are updated to an available state; and

carrying out an other accounting processing in the accounting center based on the request for purchasing the accounting [point information] points transmitted from the terminal device.--

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